

HOUSE OF REPRESENTATIVES
Roll Call
BUSINESS AND LABOR COMMITTEE

DATE 2-17-05

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>EXCUSED</u>
REP. JIM KEANE, CHAIR.			✓
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE McKENNEY, VICE CHAIR	✓		
REP. ELSIE ARNTZEN	✓		
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓		
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT	✓		
REP. LLEW JONES	✓		
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK	✓		
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN	✓		
REP. DON ROBERTS	✓		
REP. WAYNE STAHL	✓		
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		



Alley

HOUSE STANDING COMMITTEE REPORT

February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 563** (first reading copy -- white) **do pass as amended.**

Signed: _____

Jim Keane
Representative Jim Keane, Chair

And, that such amendments read:

1. Page 1, line 27.

Following: "drugs"

Insert: ", supplies, and educational materials"

2. Page 2, line 8.

Strike: "\$10,000"

Insert: "\$2,000"

- END -

Committee Vote:

Yes 11, No 7.

391330SC.hkh

*2/17/05
jkw*



HOUSE STANDING COMMITTEE REPORT

February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 559** (first reading copy -- white) **do pass as amended.**

Signed: _____

Jim Keane
Representative Jim Keane, Chair

And, that such amendments read:

1. Title, line 4.

Following: "ALLOWING"

Strike: "A"

Insert: "AN IRREVOCABLE"

2. Page 1, line 30.

Following: "or"

Insert: "irrevocable"

- END -

Committee Vote:

Yes 14, No 4.

391331SC.hkh

2/17/05
jke



Kelly

HOUSE STANDING COMMITTEE REPORT

February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Joint Resolution 19** (first reading copy -- white) do pass.

Signed: _____

Jim Keane

Representative Jim Keane, Chair

- END -

Committee Vote:
Yes 18, No 0.

391332SC.hkh
2/17/05
JKW



Belley

HOUSE STANDING COMMITTEE REPORT

February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 557** (first reading copy -- white) **do pass**.

Signed: _____

Jim Keane
Representative Jim Keane, Chair

- END -

Committee Vote:
Yes 18, No 0.

391333SC.hkh
2/17/05
JK



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HOUSE STANDING COMMITTEE REPORT

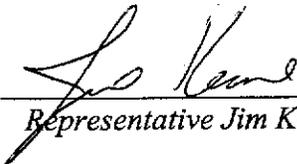
February 17, 2005

Page 1 of 4

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 517** (first reading copy -- white) do pass as amended.

Signed:


Representative Jim Keane, Chair

And, that such amendments read:

1. Title, line 10.

Strike: "16-1-404 AND 16-401"

Insert: "16-1-401, 16-1-404, AND 16-1-501"

2. Page 2, line 1 through line 5.

Strike: subsections (b) through (e) in their entirety

Insert: "(b) provide, with or without charge, not more than two ounces of liquor that it produces at the distillery to consumer for consumption on the premises between 10 a.m. and 8 p.m.; or"

Renumber: subsequent subsection

3. Page 2, line 8 through line 9.

Following: "[section 1]" on line 8

Strike: "and" on line 8 through "less of liquor" on line 9

4. Page 2, line 10.

Strike: "licensed distributors"

Insert: "the department"

5. Page 2, line 11.

Strike: "distributes"

Insert: "produces"

Committee Vote:

Yes 18, No 0.

391334SC.hkh

2/17/05
jkn

6. Page 2, line 13.

Strike: "in the state, names and addresses of consignees,"

Insert: "to the department"

7. Page 6, following line 19.

Insert: "Section 5. Section 16-4-501, MCA, is amended to read:

"16-4-501. License and permit fees. (1) Each beer licensee licensed to sell either beer or table wine only, or both beer and table wine, under the provisions of this code, shall pay a license fee. Unless otherwise specified in this section, the fee is an annual fee and is imposed as follows:

(a) (i) each brewer and each beer importer, wherever located, whose product is sold or offered for sale within the state, \$500;

(ii) for each storage depot, \$400;

(b) (i) each beer wholesaler, \$400; each domestic winery producing more than 25,000 gallons of wine, \$400; each domestic winery producing 25,000 gallons or less of wine, \$200; each table wine distributor, \$400;

(ii) for each subwarehouse, \$400;

(c) each beer retailer, \$200;

(d) (i) for a license to sell beer at retail for off-premises consumption only, the same as a retail beer license;

(ii) for a license to sell table wine at retail for off-premises consumption only, either alone or in conjunction with beer, \$200;

(e) any unit of a nationally chartered veterans' organization, \$50.

(2) The permit fee under 16-4-301(1) is computed at the following rate:

(a) \$10 a day for each day that beer and table wine are sold at events, activities, or sporting contests, other than those applied for pursuant to 16-4-301(1)(c); and

(b) \$1,000 a season for professional sporting contests or junior hockey contests held under the provisions of 16-4-301(1)(c).

(3) The permit fee under 16-4-301(2) is \$10 for the sale of beer and table wine only or \$20 for the sale of all alcoholic beverages.

(4) Passenger carrier licenses must be issued upon payment by the applicant of an annual license fee in the sum of \$300.

(5) The annual license fee for a license to sell wine on the premises, when issued as an amendment to a beer-only license pursuant to 16-4-105, is \$200.

(6) The annual renewal fee for:

(a) a brewer producing 20,000 or fewer barrels of beer, as defined in 16-1-406, is \$200; and

(b) resort retail all-beverages licenses within a given resort area is \$2,000 for each license.

(7) Each licensee licensed under the quotas of 16-4-201 shall pay an annual license fee as follows:

(a) except as provided in this section, for each license outside of incorporated cities and incorporated towns or in incorporated cities and incorporated towns with a population of less than 2,000, \$250 for a unit of a nationally chartered veterans' organization and \$400 for all other licensees;

(b) except as provided in this section, for each license in incorporated cities with a population of more than 2,000 and less than 5,000 or within a distance of 5 miles, measured in a straight line from the nearest entrance of the premises to be licensed to the nearest boundary of the city, \$350 for a unit of a nationally chartered veterans' organization and \$500 for all other licensees;

(c) except as provided in this section, for each license in incorporated cities with a population of more than 5,000 and less than 10,000 or within a distance of 5 miles, measured in a straight line from the nearest entrance of the premises to be licensed to the nearest boundary of the city, \$500 for a unit of a nationally chartered veterans' organization and \$650 for all other licensees;

(d) for each license in incorporated cities with a population of 10,000 or more or within a distance of 5 miles, measured in a straight line from the nearest entrance of the premises to be licensed to the nearest boundary of the city, \$650 for a unit of a nationally chartered veterans' organization and \$800 for all other licensees;

(e) the distance of 5 miles from the corporate limits of any incorporated cities and incorporated towns is measured in a straight line from the nearest entrance of the premises to be licensed to the nearest boundary of the city or town; and where the premises of the applicant to be licensed are situated within 5 miles of the corporate boundaries of two or more incorporated cities or incorporated towns of different populations, the license fee chargeable by the larger incorporated city or incorporated town applies and must be paid by the applicant. When the premises of the applicant to be licensed are situated within an incorporated town or incorporated city and any portion of the incorporated town or incorporated city is without a 5-mile limit, the license fee chargeable by the smaller incorporated town or incorporated city applies and must be paid by the applicant.

(f) an applicant for the issuance of an original license to be located in areas described in subsections (6) and (7) (d) shall provide an irrevocable letter of credit from a financial institution that guarantees that applicant's ability to pay a \$20,000 license fee. A successful applicant shall pay a one-time original license fee of \$20,000 for a license issued. The one-time license fee of \$20,000 may not apply to any transfer or renewal of a license issued prior to July 1, 1974. All licenses, however, are subject to the specified annual renewal fees.

(8) The fee for one all-beverages license to a public

airport is \$800. This license is nontransferable.

(9) The annual fee for a special beer and table wine license for a nonprofit arts organization under 16-4-303 is \$250.

(10) The annual fee for a distillery is \$600.

~~(10)~~ (11) The license fees provided in this section are exclusive of and in addition to other license fees chargeable in Montana for the sale of alcoholic beverages.

~~(11)~~ (12) In addition to other license fees, the department of revenue may require a licensee to pay a late fee of 33 1/3% of any license fee delinquent on July 1 of the renewal year or 1 year after the licensee's anniversary date, 66 2/3% of any license fee delinquent on August 1 of the renewal year or 1 year and 1 month after the licensee's anniversary date, and 100% of any license fee delinquent on September 1 of the renewal year or 1 year and 2 months after the licensee's anniversary date.

~~(12)~~ (13) All license and permit fees collected under this section must be deposited as provided in 16-2-108."

Renumber: subsequent sections

- END -

K. Kelly

COMMITTEE FILE COPY

TABLED BILL

The HOUSE BUSINESS AND LABOR COMMITTEE TABLED HB 468, HB 677, by motion, on Thursday, February 17, 2005.

Kyanne Kelly
(For the Committee)

JBW
(Chief Clerk of the House)

1:30 2/17
(Time) (Date)

February 17, 2005

Kyanne Kelly, Secretary

Phone: 1512





HOUSE STANDING COMMITTEE REPORT

February 17, 2005

Page 1 of 2

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 567** (first reading copy -- white) do pass as amended.

Signed:


Representative Jim Keane, Chair

And, that such amendments read:

1. Title, line 5.

Strike: "OFFENSE"

Insert: "ASSAULT"

2. Page 1, line 11.

Strike: "offense"

Insert: "assault"

3. Page 1, line 14.

Strike: "offense"

Insert: "assault"

4. Page 1, line 16.

Strike: "offense"

Insert: "assault"

5. Page 1, line 18.

Strike: "offense"

Insert: "assault"

6. Page 1, line 25.

Strike: "offense"

Insert: "assault"

Committee Vote:

Yes 13, No 5.

391335SC.hkh

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7. Page 1, line 28.

Strike: "offense"

Insert: "assault"

8. Page 1, line 29.

Strike: "offense"

Insert: "assault"

9. Page 1, line 30.

Strike: "offense"

Insert: "assault"

10. Page 2, line 2.

Strike: "offense"

Insert: "assault"

11. Page 2, line 11.

Strike: "offense"

Insert: "assault"

Strike: "has the meaning provided in 46-23-502"

Insert: "means sexual assault as described in 45-5-502, sexual intercourse without consent as described in 45-5-503, incest as described in 45-5-507, or sexual abuse of children as described in 45-5-625"

- END -

HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 2/17/05 BILL NO 468 MOTION NO. _____

MOTION: DO PASS AS Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE MCKENNEY, VICE CHAIR		✓	
REP. ELSIE ARNTZEN		✓	
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓		
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT		✓	
REP. LLEW JONES		✓	
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK		✓	
REP. SCOTT MENDENHALL		✓	
REP. MIKE MILBURN		✓	
REP. DON ROBERTS		✓	
REP. WAYNE STAHL		✓	
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		
REP. JIM KEANE, CHAIR		✓	

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HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 2.17.05 BILL NO 563 MOTION NO. _____

MOTION: _____

DO PASS AS AMENDED

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE MCKENNEY, VICE CHAIR		✓	
REP. ELSIE ARNTZEN		✓	
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓		
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT		✓	
REP. LLEW JONES		✓	
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK		✓	
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN		✓	
REP. DON ROBERTS	✓		
REP. WAYNE STAHL		✓	
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		
REP. JIM KEANE, CHAIR	✓		

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HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 2-17-05 BILL NO 527 MOTION NO. _____

MOTION: _____

AS AMENDED

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR		✓	
REP. JOE MCKENNEY, VICE CHAIR	✓		
REP. ELSIE ARNTZEN	✓		
REP. BOB BERGREN		✓	
REP. TIM DOWELL		✓	
REP. KEVIN FUREY		✓	
REP. DAVE GALLIK		✓	
REP. RALPH HEINERT	✓		
REP. LLEW JONES	✓		
REP. MIKE JOPEK		✓	
REP. HARRY KLOCK	✓		
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN	✓		
REP. DON ROBERTS	✓		
REP. WAYNE STAHL	✓		
REP. DAN VILLA		✓	
REP. JONATHAN WINDY BOY		✓	
REP. JIM KEANE, CHAIR		✓	

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HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 2-17-05 BILL NO. 588 MOTION NO. _____

MOTION: DO PASS

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE MCKENNEY, VICE CHAIR		✓	
REP. ELSIE ARNTZEN		✓	
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓		
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT		✓	
REP. LLEW JONES		✓	
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK		✓	
REP. SCOTT MENDENHALL		✓	
REP. MIKE MILBURN		✓	
REP. DON ROBERTS		✓	
REP. WAYNE STAHL		✓	
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		
REP. JIM KEANE, CHAIR	✓		

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HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 2.17.05 BILL NO 677 MOTION NO. DO PASS AS AMENDED
 MOTION: DO PASS AS AMENDED

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR		✓	
REP. JOE MCKENNEY, VICE CHAIR		✓	
REP. ELSIE ARNTZEN		✓	
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓		
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT		✓	
REP. LLEW JONES		✓	
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK		✓	
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN		✓	
REP. DON ROBERTS		✓	
REP. WAYNE STAHL		✓	
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY		✓	
REP. JIM KEANE, CHAIR	✓		

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HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 2.17.05 BILL NO 567 MOTION NO. _____

MOTION: #B 567 Be further amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR		✓	
REP. JOE McKENNEY, VICE CHAIR	✓		
REP. ELSIE ARNTZEN		✓	
REP. BOB BERGREN	✓		
REP. TIM DOWELL		✓	
REP. KEVIN FUREY		✓	
REP. DAVE GALLIK		✓	
REP. RALPH HEINERT	✓		
REP. LLEW JONES	✓		
REP. MIKE JOPEK		✓	
REP. HARRY KLOCK		✓	
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN	✓		
REP. DON ROBERTS		✓	
REP. WAYNE STAHL		✓	
REP. DAN VILLA		✓	
REP. JONATHAN WINDY BOY		✓	
REP. JIM KEANE, CHAIR		✓	

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VISITORS REGISTER

Montana

House of Representatives

Business & Labor Committee

Bill Number: HB 559

Date: 2/17/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
Jim Kumbel	AIA-montana	Amend.		
Russ KATHERMAN	Dept. of Admin			X
Keith Colbo	MIB	✓		
Steve Turkiewicz	MBA	X		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

VISITORS REGISTER

Montana

House of Representatives

B^s Labor Committee

Bill Number: HB 588

Date: 2/17/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
James R. Beck	M.C.Y.B.	✓		
Matt Wilson		✓		
Greg Van Norsee	self	✓		
Jon Metropoulos	self	✓		
Jamie Carlson	self	x		
R. MATTHEWS	SELF	x		
Cert Jensen	self	✓		
Sylvia DeAls	AL		✓	
Bob Peas	American Legion		✓	

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

VISITORS REGISTER

Montana

House of Representatives

Business & Labor Committee

Bill Number: HJ 19

Date: 2/17/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
Cathy White	American Legion		X	
George Haegele	Am Legion BB		X	X
Sylvia DeAls	Am Legion		X	
Bob O. Burns	American Legion		X	
Jim Darby	SONA		X	
JEFF BALLARD	Billings Am. Leg. Branch		X	
Tom Jacobson	American Legion		X	
Charles F. Stuhl	self		X	
FRED FRISCH	SELF		X	
Lee Cloninger	Self		X	
Randall Rauh	Miles City Youth Basketball Assoc	X		
Deb Rauh	Miles City Youth Basketball Assoc	X		
Ken Foadze	Miles City	X		
Andrew RAN	miles city	X		
Kevin Roberts	miles city	X		
Randy Bishop	Billings		X	

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

Jack Carlson	Myself	X
Mike Monev	Myself	X
Dwayne Patch	Brandon Patch	X
Debbie Patch	Brandon Patch	X

VISITORS REGISTER

Montana

House of Representatives

Business & Labor Committee

Bill Number: HB 565

Date: 2/17/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
Jim Kember	AEA - MONTANA		X	
JOHN HORN	MILITARY AFFAIRS		X	
Terry Morrow J	MEA - MFT	X		
MARVIN EICHOLTZ	DOA		X	

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

VISITORS REGISTER

Montana

House of Representatives

~~Business~~ Lake Committee

Bill Number: HB 588

Date: 2/17/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
George Haegeler	Am Legion BB		X	
GARY WHITE	American Legion		X	
Sylvia DEALS	AMERICAN LEGION		X	
Jim Darby	SBMA		X	
JEFF BALLARD	BILLINGS ^{American} Legion BASEBALL		X	
Bob O. BEALS	American Legion		X	
Jim Jacobson	American Legion		X	
FRED FRISCH	AMERICAN LEGION		X	
Charles F. Stahl	self		X	
Lee Cloungen	self		X	
Randall Rauh	Miles City Youth Baseball Assoc	X		
Deb Rauh	Miles City Youth Baseball Assoc	X		
Kevin Tooke	miles City	X		
Andrew Ram	miles City	X		
Kevin Roberts	Miles City	X		
Thomas Clement	self/umpire	X		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

Randy Driskop	Billings BSLL		X	
Jack Carlson	Myself	X		
Mike Money	Myself	X		

VISITORS REGISTER

Montana

House of Representatives

Business & Labor Committee

Bill Number: MT 19

Date: 2-17-05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
Jamie Carlson	myself	X		
Greg DeHorsen	self	X		
BO MATTHEWS	self	X		
Carl Jensen	self	X		
Gen Metropoulos	self	X		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.